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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BANK OF AMERICA, N.A., successor by
merger to BAC HOME LOANS SERVICING, LP
FKA COUNTRYWIDE HOME LOANS
SERVICING, LP,

Plaintiff,

vs.

TRAVATA and MONTAGE AT SUMMERLIN
CENTRE HOMEOWNERS' ASSOCIATION;
NEVADA ASSOCIATION SERVICES, INC.;
and SFR INVESTMENTS POOL 1, LLC,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a Nevada
Limited liability company,

Counter/Cross claimant,

vs.

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP FKA COUNTRYWIDE HOME
LOANS SERVICING, LP; PHILLIP
LIEBMANN, an individual; and LORRI
LIEBMANN, an individual,

Counter/ Cross Defendants.

Case No.: 2:16-cv-00699-GMN-PAL

**STIPULATION AND ORDER TO EXTEND
DISPOSITIVE MOTIONS DEADLINE
PENDING RULING ON MOTION FOR
PROTECTIVE ORDER**

[FIRST REQUEST]

Plaintiff and counter-defendant Bank of America, N.A., successor by merger to BAC Home Loan Servicing, LP (**BANA**), defendant Travata and Montage at Summerlin Centre Homeowners' Association and defendant, counter- and cross-claimant SFR Investments Pool 1, LLC stipulate to

1 extend the dispositive motions deadline until seventy five (75) days after the Court enters an order on
2 BANA's motion for protective order, ECF No. 59, as follows:

3 1. BANA filed its complaint on March 30, 2016 asserting a quiet title/declaratory
4 judgment claim against all defendants, breach of NRS 116.1113 and wrongful foreclosure claims
5 against Travata and Montage at Summerlin Centre Homeowners' Association, and an injunction claim
6 against SFR. (ECF No. 1.)

7 2. The Court entered an initial discovery plan and scheduling order on July 21, 2016
8 setting a December 22, 2016 dispositive motions deadline. (ECF No. 36.)

9 3. The Court administratively stayed this case pending exhaustion of all appeals in *Bourne*
10 *Valley Court Trust v Wells Fargo Bank, N.A.*, Ninth Cir. Case No. 15-15233 on September 27, 2016.
11 (ECF No. 45.) The case remained stayed until November 7, 2017. (ECF No. 53.)

12 4. The parties subsequently filed an amended discovery plan and scheduling order on
13 November 30, 2017, setting a March 22, 2018 discovery cut-off and April 23, 2018 dispositive
14 motions deadline. (ECF No. 55.) The Court approved the amended discovery plan. (ECF No. 55.)

15 5. SFR noticed BANA's deposition on January 29, 2018. (ECF No. 59-1 at 13.) BANA
16 initially disputed seven of the thirteen noticed topics. The parties resolved their dispute regarding
17 four, and BANA moved for a protective order regarding the remaining three on February 26, 2018.
18 (ECF No. 59.) The briefing likely will not be completed before March 19, 2018. SFR has agreed to
19 hold BANA's deposition in abeyance pending a ruling.

20 6. To allow time for the Court to rule on BANA's motion for protective order, ECF No.
21 59, SFR to complete BANA's deposition after the Court makes its ruling, and to avoid Rule 56(d)
22 motions, the parties stipulate to extending the dispositive motions deadline until seventy five (75) days
23 from the date the Court enters an order on BANA's motion for protective order, ECF No. 59. The
24 parties further stipulate SFR shall have forty five (45) days to complete BANA's deposition after the
25 Court enters an order. The parties select these deadlines to allow sufficient time to coordinate a
26 deposition after the Court rules and obtain transcripts before filing dispositive motions.

27 7. The parties do not file this stipulation with the intent to delay, but instead to streamline
28 the anticipated summary judgment briefing and avoid Rule 56(d) motions.

8. This is the parties' first request to extend the dispositive motions deadline.

This the 28th day of February, 2018.

This the 27th day of February, 2018.

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This the 27th day of February, 2018.

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: April 19, 2018